

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA

VS.

No. 4:13-CR-00221-01-BRW

SEDRICK REED

ORDER

Pending is Defendant's Appeal (Doc. No. 23) of the Magistrate Judge's Detention Order Pending Trial.¹ I have reviewed the entire record and now affirm the decision to detain Mr. Reed pending trial.²

Mr. Reed also argues that the use of hearsay testimony at the detention hearing violated the Confrontation Clause of the Sixth Amendment to the Federal Constitution. The Confrontation Clause, however, does not apply at a pretrial detention hearing.³ Moreover, the indictment itself establishes that there exists probable cause to believe that Mr. Reed had committed a drug offense punishable by a maximum sentence of ten years or more. Accordingly, the indictment alone was enough to raise the rebuttable presumption that no condition would reasonably assure the safety of the community.⁴

Accordingly, the Detention Order Pending Trial is affirmed and remains in effect.

IT IS SO ORDERED this 25th day of September, 2013.

/s/Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

¹ Doc. No. 22.

² See 18 U.S.C. § 3142.

³ See *U.S. v. Smith*, 79 F.3d 1208, 1210 (D.C. Cir. 1996).

⁴ *Id.*